THE HON'BLE SRI JUSTICE GODA RAGHURAM

WRIT PETITION NO.22097 OF 2006

Between :

Sandapolla Srisailam s/o Hanmaiah and others

… Petitioners

And

The State of AP rep. By the Superintendent
of Police, Mahabubnagar and others

… Respondents

THE HON'BLE SRI JUSTICE GODA RAGHURAM

WRIT PETITION NO.22097 OF 2006

ORAL ORDER:

The writ petition is misconceived.

The petitioner states that the 2nd petitioner is not the accused No.19 i.e.Gidde @ Gandle Sayulu s/o Sayappa in Crime No.27 of 2006 on the file of the Doulthabad PS. Crime No.27 of 2006 has been registered against certain specified accused for offences Under Sections 147, 148, 307, 302, 435,436,, 120, 109 r/w 149 IPC. About 81 persons are arrayed as accused for the aforesaid offences. It is the case of the petitioner that there is more than one person in Polkampally village bearing similar names and that the respondents are under a mistaken impression trying to implicate and arrest the 2nd petitioner on a misapprehension that the 2nd petitioner is the 19th accused. In the circumstances the writ petition is filed.

Identification of specified accused is an integral part of

process of investigation. This Court finds no occasion or justification for mentoring the investigation process. As and when and if the petitioner is deprived of his liberty contrary to the provisions of law including under a mistaken impression by the respondent-members of the executive, the petitioner can seek appropriate remedy including for grant of bail.

Accordingly the writ petition is dismissed at the stage of admission after hearing the learned counsel for the petitioner and learned Government Pleader for Home. In the circumstances no order as to costs.

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GODA RAGHURAM,J

3rd January 2007
pvsn/Tsnr